

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jianxin Wang
Serial No.: 10/737,109
Filing Date: December 15, 2003
Confirmation No. 5512
Group Art Unit: 2167
Examiner: Miranda Le
Title: ***System and Method for Information Backup***

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Supplemental Information Disclosure Statement (IDS)

This is responsive to the Office Action dated July 14, 2006 in the above-identified patent application. The Examiner indicated that the IDS submitted by Applicant on December 15, 2003 has been placed in the application file, but that the information referred to therein has not been considered because the PTO-1449 form was omitted. (See Office Action, Page 2) In compliance with 37 C.F.R. § 1.98(a)(1), Applicant submits with this Supplemental IDS the PTO-1449 form listing the art.

Applicant respectfully requests, pursuant to 37 C.F.R. §§1.56, 1.97, and 1.98, that the references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. No representation is made that a search has been made, that these references are material to the patentability of the present invention, or that these references qualify as prior art.

Pursuant to 37 C.F.R. § 1.98(a)(2) set forth in 69 FR 56481 and effective October 21, 2004, copies of U.S. patents and U.S. patent application publications have not been provided. References other than the U.S. patents and U.S. patent application publications are enclosed.

According to 37 C.F.R. § 1.97(f), “[i]f a bona fide attempt is made to comply with § 1.98, but part of the required content is inadvertently omitted, additional time may be given to enable full compliance.” Applicant respectfully submits that a bona fide attempt to comply with § 1.98 was made with the IDS submitted on December 15, 2003. That IDS referenced “the attached form PTO-1449,” evidencing that the PTO-1449 form was inadvertently omitted. Accordingly, Applicant respectfully requests that this Supplemental IDS should be considered under 37 C.F.R. § 1.97(b) rather than under 37 C.F.R. § 1.97(c), meaning neither the statement under § 1.97(c)(1) nor the fee under § 1.97(c)(2) is required. If, however, a determination is made that this Supplemental IDS is submitted under 37 C.F.R. § 1.97(c), then the Commissioner is hereby authorized to charge the amount of \$180.00 to Deposit Account No. 02-0384 of Baker Botts L.L.P. for this Supplemental IDS.

Although no fees are believed due at this time, the Commissioner is hereby authorized to charge any necessary fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicant



Chad D. Terrell
Reg. No. 52,279

Date: October 19, 2006

CORRESPONDENCE ADDRESS:

Customer No. **05073**

PTO-1449 Information Disclosure Citation In an Application		Application No. 10/737,109	Applicant(s) Jianxin Wng	
		Docket Number 063170.6722	Group Art Unit 2167	Filing Date Dec. 15, 2003

U.S. PATENT DOCUMENTS

		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	A	5,901,331	05/04/1999	Schlegel	395	842	04/24/1997
	B	6,460,113	10/01/2002	Schubert, et al.	711	111	01/25/2000
	C						
	D						
	E						
	F						
	G						
	H						
	I						
	J						
	K						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	L	EP 0 899 662A1	08/29/1997	EPO	G06F	11/14	X	
	M	WO 01/35244A1	03/03/2000	PCT	G06F	15/16	X	
	N							

NON-PATENT DOCUMENTS

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
O	Dave Fetters, "Building a Storage Area Network," NETWORK COMPUTERING, Online!.	05/15/2000
P	Aberdeen Group, "CA's ARCserveIT Delivers Serverless, LAN-Free, File-Level Data Protection for SANs."	06/01/2000
Q		
R		

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

U.S. PATENT AND TRADEMARK OFFICE